

I certify that the attached is a true and correct copy of HB 79, which was filed of record on FILED NOV 16 1988 and referred to the committee on: Judiciary

1989 JAN 31 PM 12:28

HOUSE OF REPRESENTATIVES

Barry Murray
Chief Clerk of the House

FILED NOV 16 1988

By *Edon Lodge*

H B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of Medina County and to certain fees in that court.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.1652(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Medina County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000 [~~\$20,000~~], excluding interest; and

(B) family law cases and proceedings.

SECTION 2. Section 25.1652, Government Code, is amended by adding Subsection (i) to read as follows:

(i) The fees assessed in cases in which the court has concurrent civil jurisdiction with the district court shall be the same as in the district court.

SECTION 3. The change in fees made by this Act applies only to fees that become payable on or after the effective date of this Act. A fee that becomes payable before the effective date of this

1 Act is covered by the law as it existed at the time the fee became
2 payable, and that law is continued in effect for that purpose.

3 SECTION 4. The importance of this legislation and the
4 crowded condition of the calendars in both houses create an
5 emergency and an imperative public necessity that the
6 constitutional rule requiring bills to be read on three several
7 days in each house be suspended, and this rule is hereby suspended,
8 and that this Act take effect and be in force from and after its
9 passage, and it is so enacted.

Hondo Anvil Herald

Hondo, Texas 78861

PUBLISHER'S AFFIDAVIT

The State of Texas)

County of Medina)

Before me, the undersigned authority, on this day did personally appear Frances Proctor, a person known to me, who on her oath stated that she is the Editor of the Hondo Anvil Herald, a newspaper published in Medina County, Texas, and which newspaper is of general circulation and has been published for more than twelve (12) months prior to the insertion of the attached notice, and that she knows the facts stated in this affidavit.

That the attached printed matter is a true and correct copy of the publication of the notice of which it purports to be a true copy, as the same appeared in such newspaper in the respective issues of:

September 22, 1988

That the charge of such

newspaper, being \$ 4.90

Frances Proctor

Frances Proctor, Editor

Subscribed and sworn to be-

fore me on this the 26th

day of Sept, 1988

[Signature]

Notary Public

Medina County, Texas

NOTICE
This is notice of intent to introduce a local bill in the forthcoming session of the Legislature to increase the maximum Civil Jurisdiction of the Medina County Court at Law from \$20,000.00 to \$50,000.00, excluding interest, and to provide for payment of fees on cases in excess of \$20,000.00 to be the same as in District Court.
Pub. Sept. 22, 1988

HOUSE COMMITTEE REPORT

89 FEB 22 PM 7:59
HOUSE OF REPRESENTATIVES

1st Printing

By Edge

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6 constitutional rule requiring bills to be read on three several
7 days in each house be suspended, and this rule is hereby suspended,
8 and that this Act take effect and be in force from and after its
9 passage, and it is so enacted.

COMMITTEE REPORT

21 February 1989
(date)

The Honorable Gib Lewis
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON JUDICIARY,

to whom was referred H.B. 79 have had the same under consideration and beg to report
(measure)

back with the recommendation that it

(X) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (X) yes () no An actuarial analysis was requested. () yes XX no

An author's fiscal statement was requested. () yes X no

A criminal justice policy impact statement was prepared. () yes XX no

A water development policy impact statement was requested. () yes XX no

XX The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the (X) Local, () Consent, or () Resolutions Calendar.

This measure () proposes new law. XX amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Thompson, S., Ch.	X			
Seidlits, V.C.				X
Conley	X			
Dutton	X			
Hinojosa			X	
Hudson, D.	X			
Hudson, S.				X
Perez	X			
Thomas	X			

Total

6 aye

0 nay

1 present, not voting

2 absent

Senfonia Thompson
CHAIRMAN

Giborah K. Wall
COMMITTEE COORDINATOR

BILL ANALYSIS

By: Edge

H.B. 79

BACKGROUND

Relating to the jurisdiction of the County Court at Law of Medina County and certain fees in that court.

PURPOSE

This bill amends Section 25.1652 of the Government Code by raising the maximum jurisdiction amount from \$20,000 to \$50,000. It also sets the fees for such cases at the same amount as in district courts.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not delegate any rulemaking authority to a state agency, officer, department, or institution.

SECTION-BY-SECTION ANALYSIS

SECTION 1 This section amends the Government Code, Section 25.1652(a)2A by changing concurrent jurisdiction amount to \$50,000.

SECTION 2 This section amends the Government Code, Section 25.1652 by adding Subsection (i), which sets the fees of a concurrent civil jurisdiction at the same levels as in district courts.

SECTION 3 This section makes fees effective only if made payable on or after the effective date.

SECTION 4 Emergency Clause.

SUMMARY OF COMMITTEE ACTION

H.B. 79 was considered in a public hearing on January 31, 1989. Testimony was taken in favor of the bill from Medina County Judge Joe E. Briscoe and attorney Hugh H. Meyer of Hondo, Texas. No witnesses testified against the bill. H.B. 79 was referred to a

subcommittee. The subcommittee heard the bill in a formal meeting on February 13, 1989. Representative Seidlits moved that H.B. 79 be reported back favorably to the full committee. The motion passed by the following record vote: 3 Ayes, 0 Nays, 0 PNV, 0 Absent. The full committee considered the subcommittee report on H.B. 79 on February 21, 1989. Representative David Hudson moved that H.B. 79 be reported out of committee without amendments with the recommendation that it do pass. The motion prevailed by the following record vote: 6 Ayes, 0 Nays, 1 PNV, 2 Absent.

COMMITTEE ON JUDICIARY

1/28/89

TX

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

January 26, 1989

TO: Honorable Senfronia Thompson, Chair
Committee on Judiciary
House of Representatives
Austin, Texas

In Re: House Bill No. 79
By: Edge

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 79 (relating to the jurisdiction of the County Court at Law of Medina County and to certain fees in that court) this office has determined the following:

No fiscal implication to the State is anticipated.

No significant fiscal implication to units of local government is anticipated.

Source: Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, PA

HOUSE ENGROSSMENT

By Edge

H.B. No. 79

A BILL TO BE ENTITLED

AN ACT

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the amount in controversy exceeds \$500 and does not exceed \$50,000 [~~\$20,000~~], excluding interest; and

(B) family law cases and proceedings.

SECTION 2. Section 25.1652, Government Code, is amended by adding Subsection (i) to read as follows:

(i) The fees assessed in cases in which the court has concurrent civil jurisdiction with the district court shall be the same as in the district court.

SECTION 3. The change in fees made by this Act applies only to fees that become payable on or after the effective date of this Act. A fee that becomes payable before the effective date of this

1 Act is covered by the law as it existed at the time the fee became
2 payable, and that law is continued in effect for that purpose.

3 SECTION 4. The importance of this legislation and the
4 crowded condition of the calendars in both houses create an
5 emergency and an imperative public necessity that the
6 constitutional rule requiring bills to be read on three several
7 days in each house be suspended, and this rule is hereby suspended,
8 and that this Act take effect and be in force from and after its
9 passage, and it is so enacted.

1 By: Edge (Senate Sponsor - Sims) H.B. No. 79
2 (In the Senate - Received from the House April 10, 1989;
3 April 10, 1989, read first time and referred to Committee on
4 Jurisprudence; April 26, 1989, reported favorably by the following
5 vote: Yeas 4, Nays 0; April 26, 1989, sent to printer.)

6 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
7 Glasgow	x			
8 Henderson				x
9 Bivins	x			
10 Caperton				x
11 Dickson	x			
12 Krier	x			
13 Parker				x

15 A BILL TO BE ENTITLED
16 AN ACT

17 relating to the jurisdiction of the County Court at Law of Medina
18 County and to certain fees in that court.

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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25 jurisdiction provided by general law for county courts; and

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29 controversy exceeds \$500 and does not exceed \$50,000 [~~\$20,000~~],
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45 constitutional rule requiring bills to be read on three several
46 days in each house be suspended, and this rule is hereby suspended,
47 and that this Act take effect and be in force from and after its
48 passage, and it is so enacted.

49 * * * * *

50 Austin, Texas
51 April 26, 1989

52 Hon. William P. Hobby
53 President of the Senate

54 Sir:

55 We, your Committee on Jurisprudence to which was referred H.B.
56 No. 79, have had the same under consideration, and I am instructed
57 to report it back to the Senate with the recommendation that it do
58 pass and be printed.

59 Glasgow, Chairman

SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

⁶
APRIL 27, 1989
(date)/(time)
2:26 PM

Sir:

We, your Committee on JURISPRUDENCE to which was referred
HB 79 by EDGE have on 4-25, 19 89, had the same
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

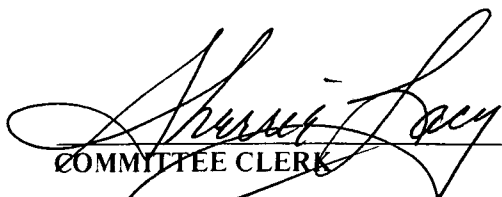
An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure Sims

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Glasgow, Chairman	<input checked="" type="checkbox"/>			
Henderson, Vice Chairman				<input checked="" type="checkbox"/>
Bivins	<input checked="" type="checkbox"/>			
Caperton				<input checked="" type="checkbox"/>
Dickson	<input checked="" type="checkbox"/>			
Krier	<input checked="" type="checkbox"/>			
Parker				<input checked="" type="checkbox"/>
TOTAL VOTES	<u>4</u>	<u>0</u>	<u>0</u>	<u>3</u>


COMMITTEE CLERK


CHAIRMAN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 19, 1989

APR 20 REC'D

TO: Honorable Bob Glasgow, Chairman
Committee on Jurisprudence
Senate Chamber
Austin, Texas

In Re: House Bill No. 79,
as engrossed
By: Edge

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 79, as engrossed (relating to the jurisdiction of the County Court at Law of Medina County and to certain fees in that court) this office has determined the following:

No fiscal implication to the State is anticipated.

No significant fiscal implication to units of local government is anticipated.

Source: Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, LV

RECEIVED

APR 20 1989

Senate Jurisprudence
Committee

FISCAL NOTE

January 26, 1989

TO: Honorable Senfronia Thompson, Chair
Committee on Judiciary
House of Representatives
Austin, Texas

In Re: House Bill No. 79
By: Edge

FROM: Jim Oliver, Director

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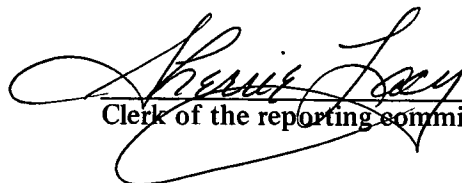
Source: Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, PA

REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT

Hon. Bill Sims, Chairman
Administration Committee

Sir:

Notice is hereby given that HB 79, by: EDGE,
was heard by the Committee on JURISPRUDENCE on 4-25, 1989,
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.


Clerk of the reporting committee

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF
THE BILL OR RESOLUTION, WHICH ALONG WITH 14 ADDITIONAL COPIES OF THE
BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE
COMMITTEE ON ADMINISTRATION, ROOM 419. PLEASE CALL 3-0350 IF YOU HAVE
ANY QUESTIONS. DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR
IS 5:00 P.M. FRIDAY.

Paper clip the original to the bill; retain one copy for reporting committee files; deliver one copy to the bill sponsor.

ENROLLED

H.B. No. 79

AN ACT

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9 passage, and it is so enacted.

H.B. No. 79

President of the Senate

Speaker of the House

I certify that H.B. No. 79 was passed by the House on April 6, 1989, by the following vote: Yeas 139, Nays 0.

Chief Clerk of the House

I certify that H.B. No. 79 was passed by the Senate on May 4, 1989, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

H. B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of Medina County and to certain fees in that court.

NOV 16 1988

1. Filed with the Chief Clerk.

JAN 17 1989

2. Read first time and Referred to Committee on

FEB 21 1989

3. Reported favorably (~~as amended~~) and sent to Printer at 4:10 pm
(~~as substituted~~) FEB 22 1989

FEB 22 1989

4. Printed and distributed at 7:59 pm

FEB 23 1989

5. Sent to Committee on Calendars at 11:00 am
L & C

APR 6 1989

6. Read second time (~~amended~~); passed to third reading (~~failed~~) by (Non-Record Vote)
(Record Vote of yeas, nays, present, not voting).

7. Motion to reconsider and table the vote by which H.B. was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of yeas, nays, and present, not voting.

APR 6 1989

9. Read third time (~~amended~~); finally passed (~~failed~~) by (Non-Record Vote) (Record Vote of 139 yeas, 0 nays, 0 present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).

APR 6 1989

12. Ordered Engrossed at 1:23 pm

APR 6 1989

13. Engrossed.

APR 6 1989

14. Returned to Chief Clerk at 4:51 pm

APR 10 1989

15. Sent to Senate.

Chief Clerk of the House

APR 10 1989

16. Received from the House

APR 10 1989

17. Read, referred to Committee on JURISPRUDENCE

APR 26 1989

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(yeas, nays.)

MAY 4 1989

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

23. Read second time Laid before the Senate passed to third reading by: (a viva voce vote.)

(a viva voce vote.) _____ yeas, _____ nays.)

MAY 4 1989

24. Caption ordered amended to conform to body of bill.

MAY 4 1989

25. Senate and Constitutional 3-Day Rules suspended by vote of 30 yeas, _____ nays to place bill on third reading and final passage.

26. Read third time and passed by

(a viva voce vote.)
(31 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King

Secretary of the Senate

May 4, 1989

27. Returned to the House.

MAY 4 1989

28. Received from the Senate ~~(with amendments.)~~
(as substituted.)

29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 4 1989

32. Ordered Enrolled at 10:31 am

HOUSE OF REPRESENTATIVES
89 APR -6 PM 4:51

HOUSE OF REPRESENTATIVES
89 FEB 22 PM 7:59

President of the Senate

Speaker of the House

I certify that H.B. No. 79[✓]
(1) was passed by the House

on _____
(2) April 6[✓], 1989, by the following vote:

Yeas 139[✓], Nays 0[✓]
(3) (4)

Chief Clerk of the House

I certify that H.B. No. 79[✓] was passed by the Senate

on _____
(5) May 4[✓], 1989, by the following vote:

Yeas 31[✓], Nays 0[✓]
(6) (7)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT25;